

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:)	
)	BANKRUPTCY NO. 16-13900
GLORIA P. JOHNSON AND)	
AARON P. WARREN,)	CHAPTER 13
)	
Debtor,)	
U.S. BANK TRUST NATIONAL)	
ASSOCIATION AS TRUSTEE OF THE)	
CABANA SERIES III TRUST,)	
)	Docket No. _____
Movant,)	
v.)	
)	
GLORIA P. JOHNSON AND)	
AARON P. WARREN AND)	
WILLIAM C. MILLER, TRUSTEE,)	
)	
Respondents.)	

CONSENT ORDER/STIPULATION AGREEMENT

AND NOW, this _____ day of _____, 2020, upon the Motion of U.S. Bank Trust National Association as Trustee of the Cabana Series III Trust ("Movant") to approve Consent Order/Stipulation Agreement with regard to a secured debt that Movant holds against real property located at 732 Marlyn Road, Philadelphia, Pennsylvania 19151 (the "Real Property") evidenced by claim no. 16-1, it is hereby agreed as follows:

Gloria P. Johnson and Aaron P. Warren (hereafter "Debtors") acknowledge and agree that the outstanding post-petition mortgage balance, to and through the April 2020 payment, is as follows:

<u>AGREED UPON TOTAL ARREARS BALANCE</u>	<u>\$ 902.85</u>
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1. Debtors shall cure the Arrears as set forth above by paying one sixth (1/6) of the Arrears per month (\$150.48) for the next six (6) months, together with the regular monthly mortgage payment (\$430.13) for a total combined monthly payment of \$580.61 for the next six (6) months, beginning with the June 2020 payment. In the event the regular monthly payment changes for any reason, then the amount due pursuant to this Paragraph shall be adjusted accordingly. Thereafter, the Debtor agrees to continue making the regular monthly mortgage payments.

2. Debtor shall send all payments due directly to Movant at the address below:

U.S. Bank Trust, National Association
As Trustee of the Cabana Series III Trust
c/o BSI Financial Services
1425 Greenway Drive, Suite 400
Irving, Texas 75038

3. In the event Debtors fail to make any of the payments set forth hereinabove (or real estate taxes and/or hazard insurance on the Real Property when due) on or before their due dates, Movant and/or Movant's counsel may give Debtors and Debtors' counsel notice of this default. If Debtors do not cure the default within ten (10) days of receipt of notice, Movant may file a Certification of Default with the Court, and request an Order, with a copy to Debtors and Debtors' counsel, granting Movant immediate relief from the bankruptcy stay with regard to the Real Property.

4. The failure by the Movant, at any time, to file a Certification of Default upon default by the Debtors shall not be construed, nor shall such failure act, as a waiver of any of Movant's rights hereunder.

5. Upon issuance of the aforesaid Order granting Movant immediate relief from stay, the parties hereto further agree that the Movant may proceed in state court to exercise all rights and remedies available to it as a mortgagee and creditor under state and federal law including, but not limited to, the initiation or and or continuation of foreclosure and execution proceedings against the Real Property through sheriff's sale and ejectment thereafter.

6. In the event Debtors convert to a bankruptcy under Chapter 7 of the Bankruptcy Code then Debtors shall pay all pre-petition arrears and post-petition arrears within ten (10) days from the date that the case is converted. If Debtors fail to make payments in accordance with this paragraph then Movant, through counsel, may file a certification setting forth said default and the Movant shall be granted immediate relief from the bankruptcy stay with regard to the Real Property.

7. It is further agreed that the 14 day stay provided by Rule 4001(a)(3) is hereby waived.

BY THE COURT:

J.

Agreed to this 5th Day of June, 2020

/s/ Michael C. Mazack

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